

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works		(2) MEETING DATE February, 28 2006		(3) CONTACT/PHONE Mark Sullivan, Department Administrator (805) 781-5256	
(4) SUBJECT Introduction of a Gas Pipeline Ordinance Extension, Authorization of Notification and Scheduling Public Hearing for April 11, 2006					
(5) SUMMARY OF REQUEST Introduction of a Gas Pipeline Ordinance Extension, Authorization of Notification and Scheduling Public Hearing for April 11, 2006					
(6) RECOMMENDED ACTION It is our recommendation that your Honorable Board introduce an Ordinance which extends County Ordinance No. 301, Southern California Gas Company's pipeline franchise for one year and sets April 11, 2006 as the date for a public hearing on this item.					
(7) FUNDING SOURCE(S) N/A		(8) CURRENT YEAR N/A		(9) ANNUAL COST N/A	
(10) BUDGETED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> N/A <input type="checkbox"/> NO					
(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST): County Counsel and Southern California Gas Company					
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, How Many? _____ <input type="checkbox"/> Permanent <input type="checkbox"/> Limited Term <input type="checkbox"/> Contract <input type="checkbox"/> Temporary Help					
(13) SUPERVISOR DISTRICT(S) All			(14) LOCATION MAP <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A		
(15) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Presentation <input type="checkbox"/> Board Business (Time Est. _____)			(16) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions (Orig + 4 copies) <input type="checkbox"/> Contracts (Orig + 4 copies) <input checked="" type="checkbox"/> Ordinances (Orig + 4 copies) <input type="checkbox"/> N/A		
(17) NEED EXTRA EXECUTED COPIES? <input type="checkbox"/> Number: _____ <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A			(18) APPROPRIATION TRANSFER REQUIRED? <input type="checkbox"/> Submitted <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A		

REFERENCE:

L:\ACCTNG\FEB06\BOS\02-28-2006 Gas Ordinance\Intro022806-CVR.doc.LND:ES

(19) ADMINISTRATIVE OFFICE REVIEW	<p>OK Leslie Brown</p> <p style="font-size: 2em; transform: rotate(-15deg); display: inline-block;">(2.28.06)</p>
-----------------------------------	---



SAN LUIS OBISPO COUNTY DEPARTMENT OF PUBLIC WORKS

Noel King, Director

County Government Center, Room 207 • San Luis Obispo CA 93408 • (805) 781-5252

Fax (805) 781-1229

email address: pwd@co.slo.ca.us

TO: Board of Supervisors

FROM: Mark Sullivan, Department Administrator *MS*

VIA: Noel King, Director of Public Works *NK*

DATE: February 28, 2006

SUBJECT: Introduction of a Gas Pipeline Ordinance Extension, Authorization of Notification and Scheduling Public Hearing for April 11, 2006

Recommendation

It is our recommendation that your Honorable Board introduce an Ordinance (Attached) which extends County Ordinance No. 301, Southern California Gas Company's pipeline franchise for one year and set April 11, 2006 as the date for a public hearing on this item.

Discussion

Ordinance No. 301 was granted to Pacific Lighting Gas Supply Company, on February 7, 1955. The Ordinance allows Southern California Gas Company the right to operate a gas pipeline franchise within the County. A one-year extension granted last year expired on February 7, 2006. The Public Works Department is requesting a second, one-year extension of this ordinance. This extension will allow County staff and Gas Company representatives to produce the appropriate renewal documents. In addition to the County Ordinance, the California Public Utilities Code, referred to as the Franchise Act of 1937, gives guidance on the process.

Other Agency Involvement/Impact

County Counsel reviewed the extension ordinance.

Financial Considerations

There are no financial considerations associated with this ordinance. Annual franchise fees from Southern California Gas currently total approximately \$75,000 per year.

*B-3
2*

Results

The adoption of this ordinance will lead to a well-governed safe community through the development of appropriate franchise agreements.

Attachments: Ordinance

File: Gas Company Renewal

Reference: 06FEB28-C-7

L:\ACCTNG\FEB06\BOS\02-28-06 BOS ltr intro.doc.LND.MS

B-3
3

ORDINANCE NO.

ORDINANCE EXTENDING GAS PIPELINE FRANCHISE

The following Ordinance is now offered and read:

WHEREAS, the County of San Luis Obispo, California (hereafter referred to as "County"), pursuant to County Ordinance No. 301, granted a franchise to Pacific Lighting Gas Supply Company, for the installation and maintenance of pipes and other appurtenances for the conveyance of gas under County streets for a period of fifty (50) years, dated February 7, 1955; and,

WHEREAS, on November 26, 1985, Pacific Lighting Gas Supply Company merged with the Southern California Gas Company, a corporation (hereafter referred to as "Gas Company"; and

WHEREAS, a one-year extension of the current franchise was granted on February 7, 2005; and

WHEREAS, an additional one-year extension of the current franchise will allow the County to continue working with the Gas Company on the renewal documents.

NOW, THEREFORE, BE IT ORDAINED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. That the term of Ordinance No. 301 is hereby extended through February 7, 2007. Gas Company shall file a written acceptance of this extension with the Clerk of the Board of Supervisors (Board), within 30 days of the date this Ordinance is adopted by the Board.
2. This Ordinance shall apply retroactively to February 7, 2005.
3. This Ordinance shall take effect and be in full force and effect thirty (30) days after its passage, and before the expiration of fifteen (15) days after passage of this ordinance, it shall be published once with the names of the members of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of San Luis Obispo, State of California.

B-3
4

INTRODUCED at a regular meeting of the Board of Supervisors held on the _____ day of _____, 20____ and PASSED and ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the _____ day of _____, 20____ the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

Chairperson of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.
County Counsel

By:

Patricia J. Form
Deputy County Counsel

Dated:

2/16/06

B-3
55